

Office of the Secretary,
Federal Communications Commission
1919 M St. NW
Washington DC 20554

FCC MAIL ROOM

MAR 10 1997

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2/20/97

MAR 12 10 36 AM '97

CABLE SERVICES BUREAU

CS Docket No. 97-55

Dear FCC,

I appreciate the opportunity to file this formal comment concerning the ratings system recently implemented by the television industry.

It is my view that the age-based system that has been adopted by the television industry is not adequate to accomplish the goal for which it was implemented. There are several ways that an age-based system fails, and I would like to draw your attention to two of them.

The first problem is that it is administered by the television industry itself. If the goal is to protect our children from explicit sex, violence, and language content, then the public would be well served by having an independent body overseeing this function. We cannot reasonably expect "the fox to guard the hen house". Whatever ratings system is implemented, it must be administered by those who have the best interests of America's children as their motive. The television industry is incapable of rating the content of their own productions, because profit is their primary motive.

Secondly, a poor ratings standard is worse than no ratings system at all. The current age-based system gives no guidelines concerning the offensive *content* of the shows. If we don't specifically address what is offensive in a given show's *content*, then all we are doing is giving the television programmers a shield to hide behind when consumers are offended at what television contains. The age of the viewer is relatively insignificant at this point. Offensive content is offensive content, for adults as well as children. There should be no double-standard.

Instead of the current age-based system, a better plan would be a content-based system administered by individuals who are fully independent of TV production and profits, who have high moral and ethical standards which flow from the Judeo-Christian faith upon which this nation was founded.

Traditionally, parents have been the primary filter for protecting America's youth from inappropriate TV viewing. In view of the relatively weak state of the modern American family, it becomes all the more important for the FCC to implement TV ratings which truly offers *all* viewers protection from the daily bombardment of explicit sex, violence, and language which characterizes much of current television programming.

The best solution is for the television industry to quit broadcasting explicit sex, violence, and language. Until that unlikely event happens, it is up to good and moral people to prevail in this effort of determining what is appropriate for public television viewing.

I urge the FCC to implement content-based ratings, which afford Americans the *most* protection possible.

Sincerely,



Dave Malbrough
319 Rue Rabelais #1508
South Bend, IN 46615

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CABLE SERVICES BUREAU

Office of the Secretary
Federal Communications Commission
1010 M Street, N.W.
Washington, D.C. 20554

Re: V-chip ratings system as proposed by the TV industry.

The very best service I ever subscribed to was a service that told me exactly what was in a movie so I could decide for myself whether or not I wanted to see it. The same must be done for TV. I want to know what is in it: Nudity, sex with or without nudity, swearing (what kind of words and if there are a few or many), violence (real or cartoon), sex or crude talk, etc. Then I can decide if it is worth watching or not.

My preference is that none of this is brought into our homes which I feel to be an invasion. When parents aren't home, and they change the program to another slot or station, then what? I do not work, but I still am not home every minute my children are. Keep the junk in the movies where we can decide to see it or not. When it invades our homes, sometimes we see things we find offensive. Even though we change the channel, it is often too late because we've already gotten a glimpse of what we didn't want to see. What about our rights? I find this to be taking away my rights. But then, no one seems to care about this at all. Nor do they care what children see--they only pretend they do, when in fact, every decision made by the movie industry and backed by you, shows us that you do not care in the least. No wonder our teenagers are obsessed with sex, drugs, and violence.

Sincerely,

Mr. & Mrs. James S. Greeding & Family
1158 Greenfield Street
Thousand Oaks, CA 91360
(805) 495-0771

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Jack W. Frosch

244 Mid Rivers Center • Suite 232 • St. Peters, Missouri • 63376-4367

4 March 1997

Office of The Secretary
Federal Communications Commission
1919 M Street N.W.
Room 222
Washington, DC 20554

attn: CS Docket No. 97-55

Dear Mr. Secretary,

I'm writing to comment on the current television rating system devised by the television content producers. I can't over-state how disappointed I am in these weak, content-free ratings.

Consider this example. Last Sunday (2 March 1997), our family sat down to watch CBS' "Touched By An Angel." This is one of the few remaining programs on prime-time, network television which I can *usually* feel comfortable about my children watching. This episode carried the TV-G rating, ostensibly meaning suitable for all ages. However, about ¾ into the program, my children were exposed to a story about the rape of a young girl.

When my six year old daughter began asking about the meaning of the word "rape" and specifically how it was different from being "beat up", I realized that the current rating system is a cruel joke foisted on parents. We were fooled into viewing a program with a TV-G rating and then sandbagged into explaining a violent sexual act to a daughter whose innocence we wish to protect - and Broadcast Television seems determined to crush. (Remember, this was an example of perhaps the *safest* television show for families.) If the program had Content Ratings, as are provided on some cable networks, we'd have been better prepared to take a responsible decision.

However, even a Content Rating will be meaningless if the ratings are decided by those who have already demonstrated a callous disregard for parental interests. There has to be an independent body previewing the programming, and applying a measurable, objective standards before the television ratings will have the integrity needed to earn the trust of the people.

Since these are commercial broadcasts using public airwaves, I see Content ratings as a Consumer Safety / Product Labeling issue, not a First Amendment infringement. I'm not saying adult situations can't be broadcast, only that we be given sufficient information beforehand to make reasonable judgments on suitability for our family.

Thank you for your consideration.

Sincerely,

Jack W. Frosch

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March 7, 1996

Ronald & Gloria Yoder
1300 E Woodview Dr
Nappanee, IN 46550

Office Of The Secretary
Federal Communications Commission
1919 M Street NW Room 222
Washington, DC 20554

Reference: CS Docket No. 97-55

Dear Secretary;

We are the parents of three children ages 9, 6 and 3. We attempt to be very conscious of what our children are exposed to while watching television. Although we do not claim to be expert on child rearing we do know that our children have developed at their own individual pace and were not at the same level of maturity at corresponding ages. The current method of TV program rating does not help us in determining if a program is satisfactory for our children to watch or not. A content based rating system would not only make it easier to make a choice but it would help us to have a better understanding of a program and what is in it. When we go to a grocery store we buy a product by the contents in the container not a label on the container. Just as the label on a food container describes the content within the container so a label for a television show should describe the contents of the show. I don't think that a person in Hollywood or the Federal Government should determine that a particular child will be mature enough to watch a program at a given age. Please reconsider the current rating system and replace it with a content based rating system.

Sincerely

Ron Yoder

wpwin/fcc

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CS 97-55

ROOM 100

February 20, 1997

MAR 10 1997

DO NOT WRITE IN THESE SPACES

Dear Sirs:

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The "Age-based" rating system that is currently in place is unacceptable. When shows that have high sexual content are rated TV-PG (recent episode of "Friends" and "Ellen", etc. etc.) it is a waste of your time and your viewers' time. We would much prefer that you go with "content-based" ratings. And the content-based ratings should be accurate and non-biased. If you know in your heart that a child should not be subjected to what is being portrayed on the television, LET US KNOW, PLEASE!!! We will respect and thank you for it. We are the grandparents of the most precious little girl you could ever know. We don't want her mind to be perverted. Children are our greatest gift. Why would anyone want to ruin such gifts by spoiling their minds with trash? It seems that the television industry and media have that very agenda. "Get them while they are young". The dark side is prevailing, it would seem. Well, we are fighting back and we don't appreciate the fact that the producers of TV shows and movies seem to have a mission of cranking out the worst of the worst these days. Why can't the American public trust that family oriented programming is available and if it isn't family friendly at least we will be appropriately warned.

Sincerely,

David Hamilton
Vicki & David Hamilton
5870 Garmish Rd.
Colorado Springs, Co. 80918

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CS Docket # 97-55

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Federal Communications Commission
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CABLE SERVICES BUREAU

CS Docket No. 97-55

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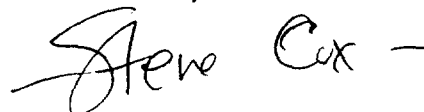
Instead of the current age-based system, a better plan would be a content-based system administered by individuals who are fully independent of TV production and profits, who have high moral and ethical standards which flow from the Judeo-Christian faith upon which this nation was founded.

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I urge the FCC to implement content-based ratings, which afford Americans the *most* protection possible.

Sincerely,



Stephen Cox
4291 Michigan Road
Plymouth, IN 46563

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Greg and Joanne Lord
2505 9th Ave NW
Mandan ND 58554

DOCKET NO. 97-55

March 5, 1997

Office of the Secretary
Federal Communications Commission
1919 M Street NW, Room 222
Washington DC 20554

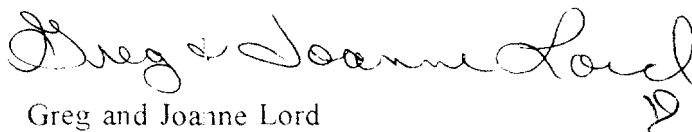
Attn: CS Docket No. 97-55

We are writing concerning the TV ratings system for television programs currently being used. As parents of five children, we would like to thank you for taking on this responsibility of rating programs to assist parents in monitoring what their children view on TV.

We do have a concern about the kind of ratings system being used. With so many of the programs being rated in the "TV-PG" category, it is very difficult to determine how programs are rated. Please consider a system that would be a content-based code which would offer information on the levels of sex, violence and language instead of a age-based code. Our children would be watching more TV if we could monitor their viewing with this type of ratings system.

Thank you for your consideration of this important matter.

Sincerely,


Greg and Joanne Lord

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Robert W. Larsen
Attorney at Law
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5205 Tonyawatha Trail
Madison, Wisconsin 53716

March 6, 1997

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Office of the Secretary
Federal Communications Commission
1919 M Street, N. W.
Washington, DC 20554

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CS Docket No. 97-55

Dear Commissioners:

There is considerable controversy over the value and "acceptability" of the TV rating system recently announced by the television industry and now before the Federal Communications Commission. As an Assistant Attorney General for the State of Wisconsin, I have had 25 years' experience enforcing and interpreting state and federal laws. By this letter I wish to bring to the Commission's attention my opinion as a private attorney that the proposed rating system is deficient as a matter of law and should be rejected on that basis.

It is not complicated. The burden is on the industry to

"establish rules for rating video programming that contains sexual, violent, or other indecent material about which parents should be informed before it is displayed to children" (P.L. 104-104. Sec. 551(e)(1)(A)).

Although the TV industry emphasizes that it has developed a ratings system, we must assume that Congress chose its words carefully and means what it says. The first part of sec. 551 (e) (1) (A) does focus on creating a ratings system, but it is the latter part of the provision which prescribes the purpose to be served and therefore the standard by which their adequacy must be judged. The latter portion indicates that there is "material about which parents should be informed before it is displayed to children." The kinds of material of main concern are stated to be "sexual, violent, or other indecent material."

Clearly, the provision requires the TV industry to give notice of the content of the programming and in particular whether it be "sexual, violent, or other indecent material."

The proposed system informs parents of what age categories the TV industry thinks should watch a program. There is nothing in the Telecommunications Act of 1996 that can be construed to call for an age-based rating system. The industry's

categorization of a program is purportedly based on the content of the show, but the system does not inform the parent whether the show “contains sexual, violent, or other indecent material before it is displayed.” The proposed system generally indicates that any or all of the types of material may be present, but that does not satisfy the clear intent of the law.

Consider a slightly different perspective. Since the proposed system gives only general notice that any or all of the various types of material is present, the only way a parent can determine whether the program contains material which the parent considers inappropriate to their child is to watch the entire program with the child. This obviously frustrates the whole purpose of the system. It is also in direct conflict with the statutory requirement that “parents should be informed before it is displayed to children.”

This legal interpretation is supported by the Findings of Congress accompanying the legislation and in particular the one where Congress contemplates a system

“providing parents with timely information about the nature of upcoming video programming and with the technological tools that allow them easily to block violent, sexual or other programming that they believe harmful to their children.” (P. L. 104-104, Sec. 551 (a)(9)).

The proposed system is (1) not “timely,” (2) does not provide parents with information about the nature of upcoming video program,” and (3) does not allow parents to “easily” block violent, sexual, or other programming they believe harmful to their children. The only way the information will be “timely” and enable parents to “easily ... block violent, sexual or other programming” is if the information about content is provided to the parent prior to the program.

Likewise, the following remarks in the House Report accompanying the Telecommunications Act support this opinion:

“In spite of the manifold benefits bestowed by H.R. 1555 on the nation’s television industry, the bill fails to elevate the public interest obligations of broadcasters to meet the needs of parents and children. It is apparent that broadcasters are failing to meet the informational and educational needs of the child audience as required by the Children’s Television Act of 1990. Moreover, the issue of increasing levels of violence in our society has focused attention on the graphic violence and other objectionable programming often found on both on [sic] broadcast and cable programming. ...

Despite repeated documentation of what society knows to be a serious problem, solutions have proved elusive. And when the hot glare of Congressional attention turns elsewhere, violence on television begins to increase again.

That is why we have concluded that parents must be given the technological ability to block violent shows when they are not in the room to supervise their children. Technology exists -- called a V-Chip ("v" for violence) or C-Chip ("c" for children) -- that allows parents in their own homes to block, in advance, any program rated violent. The decision to block is the parent's; the decision to rate is the broadcaster's. In this way, we can facilitate the job of parenting in the pervasive presence of television without having the government deciding which shows are acceptable and which are not." (Congressional & Administrative News, 104th Congress, pages 115 and 117.)

In addition to expressing the intent to give parents prior warning about content, this contemporaneous legislative history expressly contemplates that some programming will be "rated violent." The proposed system will not rate any program "violent."

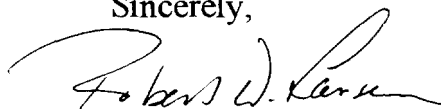
The House Report also recognizes the reality that

"In today's world, where most children have two working parents, it is unrealistic to expect that mom or dad will sit with their child for hours watching television and be there to turn off violent programs." (Congressional & Administrative News, 104th Congress, page 117.)

And yet, this is exactly what the proposed system will require.

Congress has delegated to the Commission the responsibility to determine whether the proposed system is "acceptable to the Commission" (Sec. 555(e)(1)(A)). This is a matter of judgment for the Commission, which will no doubt consider many of the same factors discussed above. However, this opinion is provided to inform the Commission that before undertaking to exercise its judgment, the Commission should determine that the proposed system is deficient as a matter of law.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Larsen", written in a cursive style.

Robert W. Larsen